

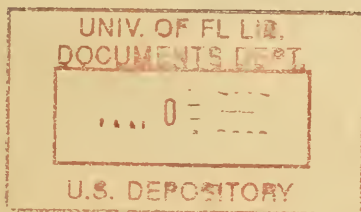
NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO
CODE OF FAIR COMPETITION

FOR THE

SILVERWARE
MANUFACTURING INDUSTRY

AS APPROVED ON OCTOBER 15, 1934



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Approved Code No. 177—Amendment No. 1

AMENDMENT TO CODE OF FAIR COMPETITION
FOR THE
SILVERWARE MANUFACTURING INDUSTRY

As Approved on October 15, 1934

ORDER

APPROVING AMENDMENT OF CODE OF FAIR COMPETITION FOR THE
SILVERWARE MANUFACTURING INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of an amendment to a Code of Fair Competition for the Silverware Manufacturing Industry, and hearings having been duly held thereon and the annexed report on said amendment, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, the National Industrial Recovery Board, pursuant to authority vested in it by Executive Orders of the President, including Executive Order No. 6859, and otherwise, does hereby incorporate by reference, said annexed report and does find that said amendment and the Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said title of said Act, and does hereby order that said amendment be and it is hereby approved, and that the previous approval of said Code is hereby modified to include an approval of said Code in its entirety as amended, such approval and such amendment to take effect fifteen (15) days from the date hereof, unless good cause to the contrary is shown to the National Industrial Recovery Board before that time and the National Industrial Recovery Board issues a subsequent order to that effect.

NATIONAL INDUSTRIAL RECOVERY BOARD,
By G. A. LYNCH, *Administrative Officer.*

Approval recommended:

KILBOURNE JOHNSTON,
Acting Division Administrator.

WASHINGTON, D. C.,
October 15, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: The Code Authority for the Silverware Manufacturing Industry submitted on July 14, 1934, a request for the Amendment of their Code to provide for the mandatory collections of the expenses of the maintenance of the Code Authority from each member of the Industry on an equitable basis to be approved by the National Recovery Administration.

On July 19, a notice of opportunity to file criticisms, objections, or suggestions concerning said Amendment was issued. The replies thereto were given careful consideration and study.

The Deputy Administrator in his final report on said Amendment to said Code having found as herein set forth and on the basis of all the proceedings in this matter:

It is found that:

(a) The Amendment to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action among trade groups, by inducing and maintaining united action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restrictions of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limitation Subsection (a) of Section 3, Subsection (a) of Section 7 and Subsection (b) of Section 10 thereof.

(c) The Amendment and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(d) The Amendment and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operated to discriminate against them.

(e) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said Amendment.

For these reasons, this Amendment has been approved.

For the National Industrial Recovery Board.

G. A. LYNCH,
Administrative Officer.

OCTOBER 15, 1934.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE SILVERWARE MANUFACTURING INDUSTRY

Article VII of the Code is amended by the following additions and deletions:

1. Subsection (d) of Section 1 is deleted completely.
2. Subsection (e) of Section 1 becomes Subsection (d) of Section 1.

3. Substitute for Subsection (g) of Section 2 the following:

(g) 1. It being found necessary in order to support the administration of this code and to maintain the standards of fair competition established hereunder and to effectuate the policy of the Act, the Code Authority is authorized:

(a) To incur such reasonable obligations as are necessary and proper for the foregoing purposes, and to meet such obligations out of funds which may be raised as hereinafter provided and which shall be held in trust for the purposes of the Code;

(b) To submit to the National Industrial Recovery Board for its approval, subject to such notice and opportunity to be heard as it may deem necessary (1) an itemized budget of its estimated expenses for the foregoing purposes, and (2) an equitable basis upon which the funds necessary to support such budget shall be contributed by members of the industry;

(c) After such budget and basis of contribution have been approved by the National Industrial Recovery Board, to determine and obtain equitable contribution as above set forth by all members of the industry, and to that end, if necessary, to institute legal proceedings therefor in its own name.

2. Each member of the industry shall pay his or its equitable contribution to the expenses of the maintenance of the Code Authority, determined as hereinabove provided, and subject to rules and regulations pertaining thereto issued by the National Industrial Advisory Board. Only members of the industry complying with the code and contributing to the expenses of its administration as hereinabove provided, (unless duly exempted from making such contributions,) shall be entitled to participate in the selection of members of the Code Authority or to receive the benefits of any of its voluntary activities or to make use of any emblem or insignia of the National Industrial Recovery Administration.

3. The Code Authority shall neither incur nor pay any obligation substantially in excess of the amount thereof as estimated in its approved budget, and shall in no event exceed the total amount contained in the approved budget, except upon approval of the National Industrial Recovery Board; and no subsequent budget shall contain any deficiency item for expenditures in excess of prior budget estimates except those which the National Industrial Recovery Board shall have so approved.

4. Delete Section 3 and substitute therefor the following:

Each trade or industrial association directly or indirectly participating in the selection or activities of the Code Authority shall (1) impose no inequitable restrictions on membership, and (2) submit to the National Industrial Recovery Board true copies of its articles of association, by-laws, regulations, and any amendments when made thereto, together with such other information as to membership, organization, and activities as the National Industrial Recovery Board may deem necessary to effectuate the purposes of the Act.

Approved Code No. 177—Amendment No. 1.
Registry No. 1223-1-02.



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